REMARKS

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Claim 25 has been amended to incorporate limitations previously set forth in claims 30, 36, 37 and 38, as a result of which these claims have been cancelled, without prejudice.

Claims 40 and 41 have been amended to delete the phrase "of the packaging material", thus obviating the Examiner's rejection of these claims under the second paragraph of 35 U.S.C. § 112.

Additionally, claims 26-29, 31-35 and 39-41 have been amended to make minor changes of an editorial nature, in order to better comply with U.S. practice.

Thus, no new matter has been added to the application.

The patentability of the present invention over the disclosures of the references relied upon by the Examiner in rejecting the claims will be apparent upon consideration of the following remarks.

The rejection of claims 25, 26, 28, 29, 34-36 and 40 under 35 U.S.C. § 102(b) as being anticipated by Su has been obviated by the above-discussed amendments.

Specifically, claims 30, 37 and 38 are not included in the above-rejection. Independent claim 25 has been amended to incorporate the limitations of claims 30 and 36, as well as portions of claims 37 and 38. Therefore, independent claim 25, as well as dependent claims 26, 28, 29, 34, 35 and 40, are patentable over the cited reference. [Claim 36 has been cancelled.]

The rejection of claims 26, 27 and 36-41 under 35 U.S.C. § 103(a) as being unpatentable over Su in view of Knott II, et al. has been obviated by the above-discussed amendments.

Specifically, claim 30 is not included in the above-rejection. Independent claim 25 has been amended to incorporate the limitation of claim 30. Therefore, independent claim 25, as well as dependent claims 26, 27 and 39-41 are patentable over this combination of references. [Claims 36-38 have been cancelled.]

The rejection of claims 30-33 under 35 U.S.C. § 103(a) as being unpatentable over Su and further in view of Levinson has been obviated by the above-discussed amendments.

Specifically, none of claims 36-38 are included in the above-rejection. Independent claim 25 has been amended to incorporate the limitations of claim 36, as well as portions of claims 37 and 38. Thus, amended claim 25, as well as dependent claims 31-33 are patentable over this combination of references. [Claim 30 has been cancelled.]

Although the amendments to the claims have obviated the above-rejection, Applicants provide the following additional comments.

Applicants' amended claim 25 recites a heat-treating method for a packaging product comprising providing a packaging product formed by enclosing a content material within a packaging material comprising at least a layer of hydrophilic gas-barrier resin selected from the group consisting of ethylene-vinyl alcohol copolymer, polyamide (co-)polymers and glycolic acid (co-)polymer, and heat-treating the packaging product with hot water, wherein the hot water is caused to contain a water-soluble compound comprising an inorganic electrolyte.

The present invention prevents opalescence of the packaging material. Specifically, Applicants understand that, if a hydrophilic resin layer is present in the packaging material to be treated with hot water, hot water molecules are caused to contact the hydrophilic resin layer, thus causing the hydrophilic resin layer to whiten due to the formation of a cluster of water molecules attached to the hydrophilic resin layer. (See page 4, lines 6-26 of Applicants' specification.) Applicants' invention is based on a concept that lowering the percentage of free water molecules (by adding a water-soluble compound in hot water to cause hydration thereof with the water molecules) will decrease the kinetic energy of the water molecules, thus, suppressing the opalescence of the packaging material including a hydrophilic resin layer. (See page 5, line 27 to page 6, line 11 of Applicants' specification.)

In the background of the invention, Su (US '938) explains that a drawback to the use of nitrile polymers in container fabrication is that the polymer is sensitive to moisture at elevated levels. Su further explains that exposure to moisture causes the container to become hazy and the optical clarity to be substantially reduced. (See column 1, lines 44-57 of Su.) Thus, Su discloses a method of preventing haze of a container fabricated from a nitrile polymer grafted with methyl methacrylate (assumed to be a hydrophilic polymer) during pasteurization in water at elevated temperature by causing the water to contain a polyhydric alcohol (a water-soluble compound). Su does not disclose the addition of an inorganic

electrolyte, as the water-soluble compound, as required by Applicants' amended claim 25. Su also fails to disclose the use of the specific gas-barrier resins recited in amended claim 25.

Levinson (US '554) discloses a method of microwave heating packaged food, including a technique of causing a packaging material comprising a liquid-absorptive material to absorb salt water prior to the microwave heating, thereby uniformizing the microwave heating effect. This is contrary to the technique of preventing water absorption by a packaging material adopted in Su (US '938). Additionally, this concept is contrary to Applicants' invention.

Accordingly, one of ordinary skill in the art would not be motivated to combine Levinson (US '554) with Su (US '938), since the teachings of Levinson are contrary to the teachings of Su. Further, even **if** these references are combined, the combination fails to provide a heat-treating method for a packaging product including a packaging material comprising a specific gas-barrier resin layer, as required by Applicants' amended claim 25.

The rejection of claim 42 under 35 U.S.C. § 103(a) as being unpatentable over Su and further in view of Knott II, et al. and further in view of Shiiki et al. has been obviated by the above-discussed amendments.

Specifically, none of claims 30 or 36-38 are included in the above-rejection. Independent claim 25 has been amended to incorporate the limitations of claims 30 and 36, as well as portions of claims 37 and 38. Thus, amended claim 25, as well as dependent claim 42 are patentable over this combination of references.

Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

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